

**VETERINARY EXAMINING BOARD  
REGULAR MEETING  
MARCH 12, 2003**

**MEMBERS PRESENT:** William Bartlett, DVM; James Johnson, DVM (via telephone); Larry Mahr, DVM; Diane Scott, DVM (via telephone); Jean Heyt-Thompson, DVM (via telephone); Elaine McGregor (via telephone)

**EXCUSED ABSENCE:** Sarah Kamke

**STAFF PRESENT:** Thomas Ryan, Bureau Director; Deanna Zychowski, DRL Staff; Wayne Austin, Legal Counsel; Pamela Meicher, Program Assistant; Division of Enforcement staff were present for portions of the meeting

**GUESTS:** Rachel C. Rothschild, School of Veterinary Medicine

**CALL TO ORDER**

Chair Diane Scott called the meeting to order at 11:03 a.m. A quorum of six members was present.

**APPROVAL OF AGENDA**

**Additions to Agenda:**

Proposed Stipulation – Thomas R. Shales, DVM  
Proposed Stipulation – Dale Penegor, DVM

**MOTION:** Elaine McGregor moved, seconded by James Johnson, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF JANUARY 13, 2003**

**MOTION:** Larry Mahr moved, seconded by James Johnson, to approve the minutes as written. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATIONS**

**D. ROBERT MELCHER D.V.M.**

DOE Attorney Michael Berndt presented the proposed stipulation in the matter concerning D. Robert Melcher, D.V.M. This matter will be deliberated on in closed session.

**DALE PENEGOR, D.V.M.**

DOE Attorney Pamela Stach presented the proposed stipulation in the matter concerning Dale Penegor, D.V.M.. This matter will be deliberated on in closed session.

**THOMAS SHALES, D.V.M.**

DOE Attorney Steve Gloe presented the proposed stipulation in the matter concerning Thomas Shales, D.V.M. This matter will be deliberated on in closed session.

**SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES**

The Board noted the report.

**REVIEW OF DRAFT OF AVMA MODEL VETERINARY PRACTICE ACT**

The Board briefly discussed the AVMA Model Veterinary Practice Act. The purpose of the act is to provide guidelines and standardize veterinary practices.

**RECESS TO CLOSED SESSION**

**MOTION:** Elaine McGregor moved, seconded by Larry Mahr, to recess to closed session pursuant to Chapter 19.85 (1)(a), (b), (f) and (g), Wis. Stats., for the purpose of deliberating on proposed stipulations, reviewing endorsement applications, review of audit and possible violation of board order, reviewing the case status report and consulting with legal counsel. Roll call vote: William Bartlett – yes; Jean Heyt-Thompson – yes , James Johnson – yes; JoAnn Kleman – yes, Larry Mahr – yes; Elaine McGregor – yes , Diane Scott – yes. Motion carried unanimously.

Open session adjourned at 11:25 a.m.

**RECONVENE IN OPEN SESSION**

**MOTION:** William Bartlett moved, seconded by Larry Mahr, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:02 p.m.

**VOTING ON ITEMS CONSIDERED/DELIBERATED ON  
IN CLOSED SESSION**

**DELIBERATION OF PROPOSED STIPULATIONS**

**D. ROBERT MELCHER, D.V.M.**

**MOTION:** William Bartlett moved, seconded by Jim Johnson, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of D.

Robert Melcher, D.V.M. Case advisor Sarah Kamke abstained. Motion carried.

**TERRI A. RHODE, V.T.**

**MOTION:** William Bartlett moved, seconded by Larry Mahr, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Terri A. Rhode, V.T. Case advisor Jean Heyt-Thompson abstained. Motion carried.

**LONNIE L. LAACK, D.V.M.**

**MOTION:** Larry Mahr moved, seconded by William Bartlett, to defer the matter concerning Lonnie L. Laack, D.V.M. back to DOE for a possible Board Order violation. Motion carried unanimously.

**DALE PENEGOR, D.V.M.**

**MOTION:** William Bartlett moved, seconded by Larry Mahr, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Dale Penegor, D.V.M. Case advisor Diane Scott abstained. Motion carried.

**THOMAS SHALES, D.V.M.**

**MOTION:** William Bartlett moved, seconded by Elaine McGregor, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Thomas Shales, D.V.M. Case advisor Diane Scott abstained. Motion carried.

**CASE CLOSURES**

**98 VET 049**

**MOTION:** William Bartlett moved, seconded by JoAnn Kleman, to close **98 VET 049** for prosecutorial discretion. Motion carried unanimously.

**00 VET 041**

**MOTION:** William Bartlett moved, seconded by JoAnn Kleman, to close **00 VET 041** for prosecutorial discretion. Motion carried unanimously.

**93 VET 041**

**MOTION:** William Bartlett moved, seconded by Larry Mahr, to close **93 VET 041** for administrative closure and consolidation. Motion carried unanimously.

**OTHER BOARD BUSINESS**

The Board Case Advisors want to see costs for all Stipulations. The Board will determine when to enforce the costs on the Stipulations.

### **ADJOURNMENT**

**MOTION:** William Bartlett moved, seconded by Elaine McGregor, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:04 p.m.